p8

1937

Department of Revenue

OFFICE of the Board of Revenue

STATION

Rev. Rei No. 1643

(G. 281

Dated 16-6-39

Pages in the file

(SUBJECT.)

Allowance — Income — (Contribution to Pension Fund — Exemption — Dairy Farming

4281

Ref.Ab-6928/38. South Kanara Collector's Office,

Mangalore, 11th January 1939.

From

Sri Diwan Bahadur M. V. Vellodi, B.A.,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue & Settlement,

M a d r a s.

Sir,

Allowances - Tasdik - Puttur Taluk - Vittal Sri Mallaraya Daiva - Re-admission - Recommended.

*****

Institution No.339 "Vokkettur Mallaraya Bhuta" of the old Kasargod Taluk now known as "Vittal Sri Mallaraya Daiva" at Vittal of the present Puttur Taluk was in receipt of a tasdik allowance of Rs.8.8.0 as seen from the Inam Register of this office. The allowance was struck off the register in 1909. The order directing the strike off is not available now as the connected file has been destroyed. In 1933, the trustee ---- applied for the re-admission of the institution, but as it was reported that no services were being conducted in the institution, the petition was rejected with a direction that the ---- petitioner might apply again after the services were re-started. The present trustee has now put in a petition stating that he has rebuilt the institution and revived the services and that the allowance may be re-admitted and the arrears paid to him.

2. Enquiry shows that the institution which had not been in proper maintenance from many years has now been re-constructed at great cost and services renewed. The petitioner has been appointed as trustee of the institution by the Hindu Religious Endowments Board in its order No.801-1, dated 23.3.1936. the claim for payment is made only in 1938 and as no reason has been given for not claiming the allowance in the previous years, I recommend that the institution may be re-admitted

3 (M.D

C.F. 16

DRAFT FOR APPROVAL.

	Date:	Initials.
When received for fair copying ..	24/2/39	
When copied ..	13-3-39	
When examined..		
When signed ..		
When despatched.	3 MAR 1939	

DESPATCHED

SUBJECT:— Allowances – Taxation – (South Kanara) – Puttur Tk. – Sri Mallaraya Daiva at Vittal Vge. – Readmission

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

p.l.c.f No. J. 281 From the ~~Collector of~~ S. Kanara Ref. A.5- No. 6928-38 dated 11-1- 19 39.

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

~~Order~~ ~~Mts.~~ ~~Resolution~~ ~~Rout.~~ No. Ref. J. 281/39-1, dated 27-2- 19 39.

The Collector is requested to send an extract from the Huzur Jamabandi Register relating to the T.D. granted to the institution

APR 28/2 dtd 24/2/39 HAS 25/2/39

To the Collector of South Kanara.

5

J1352

...5-6928/38. South Kanara Collector's Off

Mangalore, 10th March 19

BOARD OF REVENUE 13 MAR 1939 MADRAS

From

...ri Diwan Bahadur M. V. Vellodi, B.A.,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue & Settlement,

a d r a s.

Sir,

Allowances - Tasdik - (South Kanara) - Puttur Taluk Sri Mallaraya Daiva at Vittal village - Re-admission - Extrac from the Inam register - submitted.

*****

J.3.6.1 Board's Refce.I.No.281/39-1, dated 27.2.1939.

*****

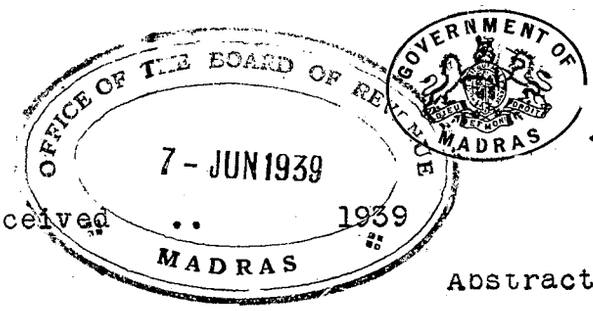
An extract from the Huzur Inam register relating to Title Deed No.335 is enclosed.

For Collector.

11.3.39

11.3.39

M.D'S.11/3.



J1822

Received .. 1939 Registered 1939.

Abstract.

Allowances - Tasdik - (South Kanara) - Puttur taluk - Sri Mallaraya Daiva at Vittal village - Readmission sanctioned.

Revenue Department.

G.O. No. Ms. 1384 Dated 5th June 1939.

Read:-

P.9c.6' | From the Board of Revenue, Ref. I. No. 281/39-2, dated 19th May 1939.

O r d e r:-

In the circumstances reported by the Board of Revenue in its reference read above, the grant of a tasdik allowance of Rs. 8-8-0 (Rupees eight and annas eight only) per annum to Institution No. 339 "Vokkettur Mallaraya Bhuta" of the old Kasargod taluk now known as "Vittal Sri Mallaraya Daiva" in the Vittal village of the Puttur taluk, South Kanara district will be revived with effect from fasli 1348.

2. The allowance for each fasli year will be paid only after the close of the year, after verifying that the institution was maintained properly during the year.

(By Order of His Excellency the Governor)

B.G. Holdsworth,
Secretary to Government.

To the Board of Revenue. ✓
" Education & P.H. Department.
" President, Hindu Religious Endowments Board, thro' the Education & P.H. Department.
" Accountant-General, thro' Finance.
" Finance Department.

(True copy)
Forwarded
(By Order)

P Krishnan 5/6/39
Superintendent.

MVP

Extract from the Huzur Inam Register relating to Title Deed No.335 of Kasargod Taluk.

No.	Name of the institution.	Names of Moktessors or Trustees.	Annual amount of --- tasdik.	Additional allowance at 10%.	Total.	Description of lands proposed to be assigned in lieu of tasdik.					Remarks.
						Magne.	Village.	No. of chitta.	Name of warg.	Tarow beriz.	
1	2	3	4	5	6	7	8	9	10	11	12
			Rs.as.ps.	Rs.as.ps.	Rs.as.ps.						
399	Vokkettur Mallaraya Bhuta.	1.Ramacharya. 2.Dema 3.Kukkanna's son Gudda.	8.8. 0	0.13.7	9.5. 7	Vittal. Idkidu.	Vokkettur. Kasba.	18 8	Kumbar Desinga. Stanika Ishwara.	6.11.11. 2. 9. 8. 9. 5. 7	xx xx xx T.D.No. 335.

/True Extract/

South Kanara Collector's Office,

Mangalore, 10th March 1939.

For Collector. 11.3.39

M.D'S.11/3.

11.3.39.

(J. 281/39)

Note file

A.S (Sett.)

Allowances – Jaedik – (South Kanara) – Puttur Tk. – Sri Mallaraya Daivva at Vittal Vge. – Readmission.

pp 1-2 c.f. Read J. 281 from the Collector of South Kanara dated 11/1/39

To A.S (Sett.)

The Collector recommends the readmission of the claim of the institution No 339 "Vokkettu Mallaraya Bhuta" of the old Kasaragod Tk. now known as "Vittal Sri Mallaraya Daivva" at Vittal ~~for readmission~~ of the lapsed allowance from fasli 1348. He reports that the allowance was struck off the registers in 1909 and that the order directing the strike off is not available now as the connected file has been destroyed and that the authority for the grant of the allowance of Rs. 8-8-0 is the Huzur Inam Register. The Collector states that in 1933 the trustee of the institution applied for its readmission and ~~the petition was rejected as it was reported~~ as that no services were being conducted in the institution the pet^n was rejected with a direction that the petitioner might apply again after the services were revived.

2. It is reported that the trustee was appointed by the H.R.E Board in 1936 and that the institution has now been reconstructed at great cost and services renewed. The trustee claims that the allowance may be ~~Is the circumstances~~ readmitted and the arrears paid to him. The Collector

~~Collector~~ recommends the readmission of the institution from 1348, as no reason has been given for not claiming the allowance in the previous years.

3. The Collector's recommendation may be accepted and ~~sanction may be accorded for the readmission of the claim of the institution to lapsed allowances from Fasli 1348~~. Before passing orders the Collector may be asked to send an extract from the Huzur Diwan Register relating to the T.D. granted to the institution

For orders.

AAS
18/2 CO 13/2/39 hrs 15/2/39

To A.S (Sett.) A.S (Sett.)

Draft submitted.

AAS
23/2 CO 24/2/39 hrs 25/2/39

J.S
A.S (Sett.)

p.3c.f Issued as Bd.'s Ref. J.281/39-1 dated 27-2 39
p.5c.f Read J.1352 from the Collector of S. Kanara

To A.S (Sett.)

pp.5-7c.f The Collector has furnished an extract from the Huzur Inam Register relating to T.D.No. 335 granted to the institution. Attention is invited to the office notes at pp.1-2 n.f. In the circumstances reported by the Collector sanction may be accorded for the readmission of the claim of the institution to lapsed allowance from fasli 1348.

pp.1-2 c.f

B.S.O.67-1 (7)
Bk 64 Vol II

For orders.

pps
21/2/39
23

The allowance involved in this case is Rs 9-5-7. Vide item no 335 in the two regrs. put up below. The Coll's letter shows that it was struck off the regr. in 1909. The connected papers having been destroyed, it is not known why it was struck off. As, however, it is reported that the 'institution' (obviously meaning the temple building) has since been rebuilt and services revived, the allowance was apparently struck off in 1909 because the services were not kept up. Accg to condition (i) in claim 7 of B.S.O.67(7)-1, claim to a lapsed allowance shd be re-admitted only if the failure to apply for payment, when it fell due, arose not from neglect but from disability. There is nothing in the Coll's letter to show that there was any disability: on the other hand

f.1c.f

Bk 69, p.464 And it may be presumed, for B.S.O.67(7), that "payment had not been sought for more than Six years prior to 1909"

f.1c.f

Ref.
28/3

time appears to have been from neglect which led to the ruin of the temple and the cessation of service. The B.S.O does not lay down any time limit for the restoration of a lapsed allowance but 30 years seem much too long a time to be allowed to a trustee to revive an institution and apply for renewal by grant. The fact that the H.R.E. Board has now stepped in and recognised the revival of the institution as its trustee does not make the claim for the restoration of the grant after all these years any the stronger. If the claim is admitted, there shd be no objection on the same principle to the regrant of service villages resumed years ago on revival of the service. It is but such regrant is not allowed.
submitted that it does not seem advisable to consider the question of regrant of allowances struck off the regr after a lapse of 30 years.
Some difficulty has however been introduced in this case by the Collr's order of 1933 to the effect that he might apply for the re-admission of the institution after the services were re-started. It was after this that the services were revived, the institution having been reconstructed at great cost. The Collr shd not, as his own authority, have given such an order especially after such a long lapse of time. But as it has no doubt been accepted and acted upon by the trustee but there seems no reason why an exception shd be made in this case. It is for orders whether the restoration of the allowance may be refused. Therefore his sanction as a special case from fasli 1348 as resumed by the Collr.

J.L

nar
25/3/49

H-1

Note to be read from p3

To A.S (Sett.)

M.I

The following revised note is submitted with reference to the orders of the J.S at p.6 N.f.

J.S

A.S (Sett.) f.l.c.f

The Collector of South Kanara recommends the readmission of the claim of the institution No.339 "Vokkattur Mallaraya Bhuta" of the 0" Kasaragod Tk. now known as "Vittal Sri Mallaraya Daiva at Vittal to the lapsed allowance from fasli 1348. He reports that the allowance was struck off the registers in 1909 and that the order directing the strike off is not available now as the connected file has been destroyed and that the authority for the grant of the allowance of Rs.8-8-0 is the Huzur Cutcherry Register. The Collector states that in 1933 the trustee of the institution applied for its readmission and that as no services were being conducted in the institution the petition was rejected with a direction that the petitioner might apply again after the services were revived.

2. It is reported that the trustee was appointed by the H.R.E Board in 1936 and that the institution has now been reconstructed at great cost and services renewed. The trustee claims that the allowance may be readmitted and the arrears paid to him. The Collector recommends the readmission of the institution from fs.

1348 as no reason has been given for not claiming the allowance in the previous years.

The allowance involved in this case is Rs. 9-6-7 (Rs. 8-0-0 + 0-12-7) Vide item no. 335 in the two registers put up below. The Collector's letter shows that it was struck off the registers in 1909. The connected papers having been destroyed, it is not known why it was struck off. As, however, it is reported that the institution (obviously meaning the temple building) has since been rebuilt and services revived, the allowance was apparently struck off in 1909 because the services were not kept up. According to condition (i) in clause 7 of B.S.O 67-1, claim to a lapsed allowance should be readmitted only if the failure to apply for payment, when it fell due, arose not from neglect but from disability. There is nothing in the Collector's letter to show that there was any disability on the other hand there appears to have been gross neglect which led to the ruin of the temple and the cessation of service. The B.S.O does not lay down any time limit for the restoration of a lapsed allowance but 30 years seem much too long a time to be allowed to a trustee to revive the institution and apply for renewal of the

The time limit which the Clerk does not mention in the 1880 is as a matter of fact there. What 1880 67 - 1 - 7 says is that the Board may reduce cases over 6 years old provided the failure to apply was due to disability. Board practically all the cases we get are I presume due to neglect not disability, i.e. the Board has no power. Such cases should go to Govt for sanction. It is quite possible that Govt will approve of them. In this particular case we might recommend it the W.C.C. Board appears to have discretion as to period & Note it that is part of their statutory functions. Here is of course the Circ'r an encouragement, misleading though it was.

9/5

N.B. Arrears can be not be paid the institution does not in fact order nor the service properly rendered, see Circulars 11 of 1887-1-7.

SECY.
11 MAY 1939

To A.S (Sett.)

Please see the orders overleaf. A.S (sett.)

Draft submitted.

HRJ 15/5 16/5/39. 16/5/39

Issued as Rd.'s Ref: J. 281/39-2 dated 19-5-39] f. 9 c. f

Read J. 2822 G.O. No. No. 1384 Rev. dated 5-6-39] f. 11 c. f.

To A.S (Sett.) A.S (Sett.)

The G.O at f. 11 c. f may be communicated to the Collector of South Kanara

Draft submitted.

HRJ 13/6 13/6/39 13/6/39